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C O N F I D E N T I A L SECTION 01 OF 04 SARAJEVO 001629

SIPDIS

DEPARTMENT FOR EUR (JONES), EUR/SCE (HYLAND/FOOKS); NSC FOR  
HELGERSON/WILSON; OSD FOR BEIN

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TAGS: [PGOV](#) [PINR](#) [PREL](#) [BK](#)

SUBJECT: BOSNIA - AMBASSADOR'S INTERLOCUTORS GIVE FEW  
INDICATIONS THAT THE RS WILL BACK OFF ITS PRESENT COURSE

REF: A) SARAJEVO 1619 B) SARAJEVO 1623 C) SARAJEVO  
1613 D) SARAJEVO 1531

Classified By: Ambassador Charles English. Reason 1.4 (b) and (d).

¶1. (C) SUMMARY: During an October 15-16 trip to Banja Luka, the Ambassador met with senior Republika Srpska (RS) officials, key advisors to RS PM Milorad Dodik, and former RS President Dragan Cavic to discuss U.S. concerns with statements and actions by Dodik aimed at de-legitimizing and undermining the Bosnian state and its institutions. The Ambassador highlighted specific concerns about RS challenges to the Missing Persons Institute (MPI), the state-level electricity transmission company (TRANSCO), and to state-level law enforcement and judicial institutions. With regard to the later, the Ambassador underscored U.S. expectation that the RS cooperate fully with requests for documentation in connection with an ongoing state-level criminal investigation. The Ambassador also expressed his concern with the RS National Assembly's October 15 resolution reaffirming the RS's right to hold a referendum on the RS's future status. RS government interlocutors and advisors to Dodik downplayed U.S. concerns and often presented RS actions as moderate and/or a reasonable response to their perceived grievances. Cavic expressed concern about Dodik, however, warning that he and his allies were treating the RS "like private property" and destroying democracy in the RS. END SUMMARY

The Cast of Characters

¶2. (SBU) During an October 15-16 visit to Banja Luka, the Ambassador met with:

- RS PM Dodik (Ref A);
- RS Energy Minister Slobodan Puhalic (Ref B);
- RS Health Minister Ranko Skrbic;
- RS Minister of Interior Stanislav Cado;
- RS National Assembly Speaker (RSNA) Igor Radojicic;
- RS PM Dodik advisors, Arie Livne and Miroslav Mikes (Note: Livne and Mikes, members of Banja Luka's very small Jewish community, are very close to Dodik. Mikes is Dodik's lawyer as well as advisor. End Note);
- Former RS President and Serb Democratic Party (SDS) member Dragan Cavic.

RS Health Minister Highlights Lack of Trust

¶3. (C) In his meeting with RS Health Minister Skrbic, the Ambassador focused on the problems that the new RS

Operational Team for Tracing Missing Persons (RSOT) had created for the Missing Persons Institute (MPI)(Ref D). (Note: Skrbic's ministry had earlier sought to terminate the lease for the International Commission for Missing Persons DNA lab in Banja Luka. The lab is critical to MPI's work. End Note) The Ambassador reminded Skrbic that Dodik had previously promised that the RSOT would work cooperatively with MPI rather than function as an obstructionist, parallel institution. Skrbic said that the fundamental problem in Bosnia was a lack of trust among its three constituent peoples. Serbs in the RS do not trust state-level institutions, such as MPI, and as a result, they do not want to support them or participate in them, Skrbic explained. He remarked that it will be "a long time before everyone in Bosnia sees state-level institutions as truly joint institutions." Skrbic claimed that EU accession was "the precise and clear objective of the RS government" and that the RS was "ready to take the first step, and can pull Bosnia towards the EU - even as others try to pull us back." Skrbic argued that Bosnia's leaders must join together and determine how they can get to the EU with the minimal amount of agreement amongst themselves.

Cadjo Insists All Must Abide by the Law  
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14. (C) In his meeting with RS Minister of Security Stanislav Cadjo, the Ambassador raised three issues: the events surrounding the Transparency International (TI) case, the difficulties caused for the MPI by the RSOT, and the RS government's refusal to cooperate with the State

SARAJEVO 00001629 002 OF 004

Investigation and Protection Agency (SIPA) and the State Prosecutor's Office. In regards to TI, the Ambassador pointed out that the charges filed against members of that organization appeared to Western observers to be an orchestrated set-up. Cadjo said that there had been criminal activity on the part of some TI representatives, and he was surprised that some people in the international community abused their positions by protecting these people. However, he assured the Ambassador that the RS Police did not take part in any activities against TI. Cadjo said members of the media were the real problem because they were making accusations that he could not counter because he was forbidden from commenting on an ongoing case.

15. (C) Regarding MPI, the Ambassador raised concerns that the RS Operational Teams were obstructing MPI's work. Specifically, the Ambassador pointed out the changing of locks in some former MPI offices in the RS, the seizing of MPI cars at the Nevesinje office, allegedly with the help of the RS Police, and the failure to provide MPI representatives access to records. The Ambassador pointed out that the law on missing persons was adopted in 2006 with the support of the RS National Assembly, including SNSD, and that this was one area where competition was not welcome. Cadjo promised to look into the actions of the RS Police in Nevesinje and opined that the police were not allowed to act unless they were supported by the law. Cadjo also expressed surprise that records were being kept from other government agencies, and said that agencies were required to make records available.

16. (C) The Ambassador told Cadjo that a confrontation with SIPA over its request for documents would be a complete disaster for everyone involved. He went on to say that there would be global ramifications for Bosnia and especially the RS if the RS failed to cooperate. Cadjo agreed that this situation could lead to a dangerous confrontation. He added that his Ministry does not want a conflict, and that the RS police would act in line with the rule of law. He went on to say that, unfortunately, there were people in other institutions (implying SIPA and the State Prosecutor's office) with bad intentions who were trying to "misuse the situation." The Ambassador pointed out that RS authorities

had a legal obligation to comply unconditionally with this request from state-level law enforcement and judicial authorities, and that the RS had no legal standing to challenge the state's jurisdiction. Cadjo ended by calling for patience and said that respect for the law from all sides should lead to a satisfactory resolution of this confrontation.

Radojicic Labels October 15 Resolution a "Compromise"

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17. (C) Over dinner with RSNA Speaker Radojicic, the Ambassador expressed U.S. concern that the RSNA's October 15 resolution had reaffirmed the February 2008 RSNA resolution on Kosovo, which outlined conditions under which the RS could pursue independence (Ref B). The Ambassador underscored that the U.S. would not tolerate any challenges, whether internal or external, to Bosnia's sovereignty or territorial integrity. Radojicic claimed that the RSNA included the reference to its Kosovo resolution only after intense and difficult negotiations among the main parties. He said that the SDS had tabled a draft resolution, which included language declaring the Bonn Powers all acts/laws/decisions of the HighRep illegal. Radojicic suggested that he and other members of the RS ruling party (Dodik's SNSD) opposed the SDS proposal. Including a reference to the Kosovo was the only way to ensure that most RSNA parties would vote for the version of the resolution that eventually passed, Radojicic concluded.

18. (C) The Ambassador warned Radojicic that there would be far reaching negative consequences if Dodik refused to cooperate with SIPA and the State Prosecutor's Office. Radojicic claimed that in connection with the investigation, he had received a request from SIPA for all documents related to RSNA committees in the past five years. He said that SIPA was welcome to have the documents, but that he "does not have years to prepare them all." Radojicic said that it would be helpful if Sarajevo could be more precise in its requests. He said that this investigation was not seen in the RS as a

SARAJEVO 00001629 003 OF 004

rule of law issue, but rather as a "demonstration of power" by Bosniak officials and as "an effort to criminalize people for political reasons." The Ambassador responded that the USG is serious about the Peace Implementation Council (PIC) commitment to close the Office of the HR (OHR) when the conditions for its closure are met, but pointed out that an RS challenge to SIPA would be make OHR's closure far less likely.

Bosniaks and Serbs; Jews and Palestinians

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19. (C) The Ambassador warned Livne and Mikes that the U.S. would not allow Dodik to pursue policies that would lead to the break-up of Bosnia. He also underscored U.S. concern over Dodik's threats to use force in order to prevent the SIPA and State Prosecutor's Office from exercising their legitimate jurisdiction in the RS. Livne, an 87-year old Holocaust survivor, told the Ambassador that he is forever indebted to the U.S., and that he frequently reminds Dodik that he must improve relations with the U.S. Mikes concurred, adding that "the U.S. stopped the war 20 kilometers from Banja Luka" and "if it were not for the U.S., there would be no Serbs living in Bosnia today." Mikes asserted that Dodik is "a good politician" but complained that Dodik "makes policy ad hoc and tries to do too much himself." Mikes accepted that Dodik must learn how to control his rhetoric. He pointed out that Serb representatives voted for all past competency transfers, adding that it is "wrong" for them to allege now that they were transferred illegally. Livne insisted that Dodik would not hold a referendum on RS succession, but also argued that a referendum was the most democratic way to determine the will of the people. He said that Serbs in Bosnia want to

know why they do not have the same right as people in Kosovo or Montenegro. In Bosnia, like in Israel, there are two nations who do not want to live in the same country, Livne said, adding if the U.S. cannot convince Jews and Palestinians to live together, then there is even less chance of making it work here.

Cavic: Democracy Has Died in the RS

10. (C) Former RS president and SDS member Dragan Cavic shared his deep concerns about what he called the ever worsening Dodik "regime" in the RS. He said that Dodik and his allies treat the RS like "private property" and that "democracy has died in the RS." He said that RS leaders are propagating fear in order to stamp out any semblance of opposition and to make the population easier to manipulate, and he said it will take years for the fear to dissipate and for things to return to normal, even if they stop this behavior now. Cavic agreed with Mikes on the issue of transferred competencies, saying that it is a "joke" to claim that this happened without Serb consent. Cavic praised Tihic for being "brave enough to come to the RSNA and say what he did." Cavic commented that the SNSD received fewer votes in the 2008 municipal elections than it did in 2006 general election, and he predicted that support for SNSD would continue to erode before the next election in 2010. He noted that Dodik had lost the support of Banja Luka's intelligentsia; the Ambassador warned key RS insiders about the possible dangerous and disastrous consequences from Dodik's efforts to de-legitimize and undermine the state, particularly his recent challenge to the legitimate authority of SIPA and the State Prosecutor's Office to operate in the RS. Nevertheless, the general perception in the RS -- and one that Dodik has actively sought to cultivate among the RS public -- is that he is being singled out for investigation for purely political reasons. Since Bosnian Serbs already believe that Bosniaks and even internationals are "out to get them," Dodik is plowing fertile ground. It was equally disturbing that key RS insiders perceived Dodik's actions and his agenda as a moderate and reasonable response to perceived grievances

SARAJEVO 00001629 004 OF 004

against the RS; that they apparently believe a commitment to EU integration is compatible with a policy of state disintegration; and finally, that they fail to grasp the potential consequences to them or the RS if they continue (despite our making them clear).

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